

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

BRIAN PEELER.

Case No. 2:18-cv-00045-JCM-PAL

Plaintiff,

ORDER

V.

RLI INSURANCE COMPANY,

Defendant.

12 This matter is before the court on the parties' Joint Status Report (ECF No. 18) filed May
13 31, 2018.

14 The complaint in this case was filed in states court December 7, 2017 and removed (ECF
15 No 1) January 18, 2018. Plaintiff alleges injuries arising out of a May 18, 2015 automobile
16 accident while driving his employer's vehicle. He settled with the driver of the other vehicle
17 involved in the collision for policy limits of \$15,000, and made a UM/UIM claim under his
18 employer's policy which has limits of \$1,000,000. He was offered \$45,000 to compensate him for
19 his loss but claims the offer was insufficient given his injuries and past and future medical specials.

On April 3, 2018, the court held a hearing on the parties' March 14, 2018 joint motion to stay this case for 6 months pending mandatory arbitration. The court granted a 60-day stay advising the parties that they must proceed expeditiously with scheduling and completing arbitration. The court required the parties to submit a joint status report in 60 days outlining their progress. The parties' status report advises that they have engaged in written discovery, each side selected an arbitrator and the two arbitrators will select a third neutral. On May 22, 2018, plaintiff's counsel advised defendant's counsel that plaintiff will "pursue shoulder surgery." The defendant has requested an IME before the surgery.

1 The parties jointly request that the stay be extended through November 2018, to give them
2 sufficient time to obtain medical records, conduct an IME, and for plaintiff to undergo the shoulder
3 surgery and rehab so that he can meaningfully participate in the arbitration. This exceeds the
4 original request for a 6 month stay substantially. The court will grant the request with the caveat
5 that the court expects the arbitration to be **completed** by November 30, 2018. The accident
6 occurred more than 3 years ago, and there most certainly was a claims process before the lawsuit
7 was filed. The court will not extend the stay of this case indefinitely while the parties pursue
8 arbitration.

IT IS ORDERED:

- 10 1. The parties shall exercise their best good faith efforts to **complete** arbitration no later
11 than **November 30, 2018**.
12 2. The parties shall provide joint status reports outlining their progress every 60 days until
13 arbitration is completed, with the next status report due **August 2, 2018**.
14 3. Failure to exercise diligence in complying with this order to complete arbitration by
15 November 30, 2018 may result in an order lifting the stay.
16
DATED this 7th day of June, 2018.

16 . DATED this 7th day of June, 2018.

Peggy A. Teer
PEGGY A. TEER
UNITED STATES MAGISTRATE JUDGE